



OFFICE OF  
INSURANCE COMMISSIONER

In the Matter of	)	No. D06-257
	)	
NIPPONKOA INSURANCE	)	
COMPANY OF AMERICA,	)	CONSENT ORDER
	)	IMPOSING A FINE
An Authorized Insurer	)	
_____	)	

Findings of Fact:

1. Nipponkoa Insurance Company of America ("Nipponkoa") is authorized to conduct insurance business in Washington State. It issues disability, property, casualty, marine transportation, vehicle, and surety insurance.
2. Nipponkoa failed to electronically file its calendar year 2004 Statement of Actuarial Opinion with the Office of the Insurance Commissioner ("OIC"). Nipponkoa filed its calendar year 2004 audited financial statements with the OIC on December 19, 2005.
3. Nipponkoa completed filing its calendar year 2005 Annual Statement by submitting its paper signature page for the Statement of Actuarial Opinion to the OIC on May 8, 2006.

Conclusions of Law:

1. Nipponkoa's failure to timely complete filing of its calendar year 2004 Statement of Actuarial Opinion and audited financial statements with the OIC and its failure to timely file its calendar year 2005 signature page for the Statement of Actuarial Opinion with the OIC constitute three violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

Nipponkoa consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of the insurer's payment of a fine as set forth below.

1. Nipponkoa consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken, or to be taken, by the Insurance Commissioner, related to the subject matter of this Order.

2. Within thirty days of the entry of this Order, Nipponkoa will pay to the Insurance Commissioner a fine in the amount of \$2,375 (two thousand three hundred seventy five dollars).
3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by Nipponkoa in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 2<sup>nd</sup> day of October, 2006.

NIPPONKOA INSURANCE COMPANY OF AMERICA

By: 

Printed Name: John P. Hilferty

Printed Corporate Title: Senior V.P. & Secretary

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. Nipponkoa Insurance Company of America is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$2,375 (two thousand three hundred seventy five dollars).
2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 4<sup>th</sup> day of October, 2006

MIKE KREIDLER  
Insurance Commissioner

By: 

**Marcia G. Stickler**  
Legal Affairs Division